

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Shane Michael and Brittany Laurel Hettish : Bankruptcy Case No. 19-11247-TPA
Debtor(s) : Chapter 13

PLAN CONFIRMATION ORDER

AND NOW, this **18th** of **November, 2021**, it is hereby **ORDERED, ADJUDGED and DECREED**, with the consent of all the Parties in attendance, as follows:

A The Chapter 13 Plan dated **October 3, 2021**, except as modified herein as numbered, below, is **CONFIRMED** in accord with **11 USC 1325**. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court.

1. For the remainder of the Plan term, the periodic Plan payment is to be **\$1711** as of **December, 2021**. Debtor(s) counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order. (A2)

2. Since the collateral is, or deemed to be, surrendered no payments will be made to the following Creditor: **Wells Fargo Cl.#9**. (B15)

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to **Fed.R.Bankr.P. 2002(b)**, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. **Review of Claims Docket and Objections to Claims.** Pursuant to **LBR 3021-1(c)(2)**, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to **11 U.S.C. §§506, 507 and 522** shall be filed within ninety (90) days after the claims bar date.

5. **Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor(s) shall file an Amended Schedule I and/or J in the event of:

(a) Household income increases by 10% or more over most the recently filed Schedule I, because of new employment, promotion, or otherwise.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or a 10% or more reduction of any line item expense on Schedule J.

(c) Any indicated increase in disposable income as a result of an increase in income or decrease in payroll withholding or Schedule J expense (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation, decrease in expense, or increase in household income.

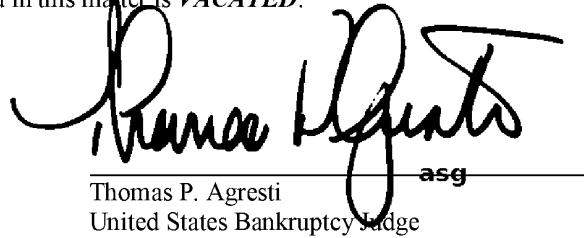
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

11. Any prior Confirmation Order entered in this matter is *VACATED*.



Thomas P. Agresti
United States Bankruptcy Judge
asg

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Shane Michael Hettish
Brittany Laurel Hettish
Debtors

Case No. 19-11247-TPA
Chapter 13

District/off: 0315-1
Date Rcvd: Nov 18, 2021

User: mgut
Form ID: pdf900

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Total Noticed: 41

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Shane Michael Hettish, Brittany Laurel Hettish, 2663 East 32nd Street, Erie, PA 16510-2705
15174083	+ Aes / Pnc Bank, PO Box 61047, Harrisburg, PA 17106-1047
15174085	+ Americo Federal Credit Union, 4108 Main Street, Erie, PA 16511-1968
15174086	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank Of America, Po Box 982238, El Paso, TX 79998
15197392	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
15174087	+ Capital One / Cabelas, 4800 Nw 1st Street, Lincoln, NE 68521-4463
15174088	+ Charleston Area Medical Center, 501 Morris Street, Charleston, WV 25301-1326
15174089	+ Collection Service Center, PO Box 560, New Kensington, PA 15068-0560
15174096	+ Friendly Federal Credit Union, 2000 Main Street, Aliquippa, PA 15001-2794
15174097	+ Healthcare Financial Services, 1204 Kanawha Boulevard East, Charleston, WV 25301-2907
15174098	+ Hertel & Brown Physical Therapy, 902 West Erie Plaza Drive, Erie, PA 16505-4536
15174101	+ Nissan - Infiniti LT, PO Box 660366, Dallas, TX 75266-0366
15198345	+ Nissan Infiniti LT, PO Box 9013, Addison, Texas 75001-9013
15196709	+ Northpointe Bank, c/o McCabe, Weisberg & Conway, LLC, Suite 1400, 123 South Broad Street, Philadelphia, PA 19109-1060
15202512	#+ PNC Bank, N.A., Boston Portfolio Advisors as Authorized, Agent for PNC Bank, N.A., 600 Corporate Drive, Suite 502, Fort Lauderdale, FL 33334-3662
15174106	+ Td Bank Usa / Target Credit, Po Box 673, Minneapolis, MN 55440-0673
15174107	+ Us Department Of Education / Gelsi, 2401 International Lane, Madison, WI 53704-3121
15174108	+ Wells Fargo / Fmg, Po Box 14517, Des Moines, IA 50306-3517
15174109	+ Wells Fargo / Preferred, Po Box 14517, Des Moines, IA 50306-3517
15201583	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 20

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Nov 18 2021 23:17:16	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15174084	+ Email/Text: backoffice@affirm.com	Nov 18 2021 23:11:00	Affirm Inc, 650 California Street, Floor 12, San Francisco, CA 94108-2716
15174090	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 18 2021 23:11:00	Comenity Bank / Eddie Baur, Po Box 182789, Columbus, OH 43218-2789
15174091	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 18 2021 23:11:00	Comenity Capital Bank / Boscov, Po Box 182120, Columbus, OH 43218-2120
15174092	+ Email/Text: bdsupport@creditmanagementcompany.com	Nov 18 2021 23:11:00	Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
15174094	Email/Text: mrdiscen@discover.com	Nov 18 2021 23:11:00	Discover Bank, Po Box 30954, Salt Lake City, UT 84130

District/off: 0315-1

User: mgut

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15174095	Email/Text: mrdiscen@discover.com	Nov 18 2021 23:11:00	Discover Financial Services LLC, PO Box 15316, Wilmington, DE 19850
15174093	+ Email/Text: electronicbkydocs@nelnet.net	Nov 18 2021 23:11:00	Department Of Education / Nelnet Loans, Po Box 82561, Lincoln, NE 68501-2561
15175655	Email/Text: mrdiscen@discover.com	Nov 18 2021 23:11:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15176413	+ Email/Text: dplbk@discover.com	Nov 18 2021 23:11:00	Discover Personal Loans, PO Box 30954, Salt Lake City, UT 84130-0954
15201668	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 18 2021 23:11:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15174099	+ Email/Text: bk.notifications@jpmchase.com	Nov 18 2021 23:11:00	JPMorgan Chase Bank Auto, PO Box 901003, Fort Worth, TX 76101-2003
15174100	+ Email/Text: PBNCNotifications@perituservices.com	Nov 18 2021 23:11:00	Kohls / Capital One, Po Box 3115, Milwaukee, WI 53201-3115
15174102	+ Email/Text: specialassets@northpointe.com	Nov 18 2021 23:11:00	Northpointe Bank, 3333 Deposit Drive Ne, Grand Rapids, MI 49546-1467
15200952	Email/Text: Bankruptcy.Notices@pnc.com	Nov 18 2021 23:11:00	PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101
15174103	Email/Text: Bankruptcy.Notices@pnc.com	Nov 18 2021 23:11:00	Pnc Bank, N.a., Po Box 3180, Pittsburgh, PA 15230
15192224	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 18 2021 23:17:16	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15174104	+ Email/PDF: gecsed@recoverycorp.com	Nov 18 2021 23:17:05	Synch / Google, Po Box 965022, Orlando, FL 32896-5022
15174105	+ Email/PDF: gecsed@recoverycorp.com	Nov 18 2021 23:16:54	Synch / TJMaxx, Po Box 965015, Orlando, FL 32896-5015
15174418	+ Email/PDF: gecsed@recoverycorp.com	Nov 18 2021 23:17:05	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15207294	+ Email/Text: bncmail@w-legal.com	Nov 18 2021 23:11:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 21

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nissan Motor Acceptance Corporation
cr		Nissan Motor Acceptance Corporation as Servicing A
cr		Northpointe Bank
15195813	*+	Northpointe Bank, 3333 Deposit Drive NE, Grand Rapids, MI 49546-1467

TOTAL: 3 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the

District/off: 0315-1

User: mgut

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complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 20, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Nissan Motor Acceptance Corporation bnicholas@kmllawgroup.com
Daniel P. Foster	on behalf of Debtor Shane Michael Hettish dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Joint Debtor Brittany Laurel Hettish dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Keri P. Ebeck	on behalf of Creditor Nissan Motor Acceptance Corporation as Servicing Agent for Nissan Infinity LT kebeck@bernssteinlaw.com jbluemle@bernssteinlaw.com
Lauren Moyer	on behalf of Creditor Northpointe Bank ecfmail@ecf.courtdrive.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnenour	cmeecf@chapter13trusteewdpa.com

TOTAL: 7